REMARKS

Reconsideration of this patent application is respectfully requested in view of the foregoing amendments, and the following remarks.

On Page 2 of the Office Action, the Patent Examiner has stated that no English translation of the Korean priority patent application has been provided. Hence, enclosed herewith is an English translation of Korean Priority Patent Application No. 10-2004-0052652. Thus, the Applicants have perfected their right of priority dated July 7, 2004.

The amendments to this patent application are as follows. The three independent claims are method claim 1, product (i.e.-kit) claims 4 and 5. Each of claims 1, 4, and 5 has been amended to recite diagnosing "CMT1A" and "HNPP" and to cancel "an inherited neuropathy." Method claim 1 has also been amended to cancel "6 loci of" and to insert "at least 3 markers selected from the group consisting of." Other terminology was cancelled from claim 1: "as markers, ...corresponding chromosomal region."

On Pages 2 and 3 of the Office Action, claims 1-5 were rejected under 35 U.S.C. 112, first paragraph, because the Specification, while being enabling for diagnosis of inherited neuropathies caused by duplication or deletion of a region

located in chromosome 17 that result in CMT1A and HNPP does not reasonably provide enablement for diagnosis of all types of inherited neuropathies. In addition, the Specification as filed is enabled for diagnosis of inherited neuropathies requiring use of at least three markers from the six markers recited. The Specification does not enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to use the invention commensurate in scope with these claims. The claims as recited are very broad. Currently claim 1 as recited is not drawn to simultaneous detection of at least 3 markers.

On Page 7 of the Office Action, the Patent Examiner reaches the conclusion that the Specification as filed is not enabled for diagnosis of all types of inherited neuropathies claimed. The Specification is enabled for diagnosis of CMT1A and HNPP using the six markers identified by applicant. This is a scope of enablement rejection.

On Page 7 of the Office Action, the Patent Examiner states that the use of these markers for diagnosis of CMT1A and HNPP is novel.

On Page 16 of the Office Action, the Patent Examiner states that the claimed set of markers for diagnosis of CMT1A or HNPP is novel.

In addition, the Patent Examiner stated that no references were found teaching or suggesting claims 1-2, but they are rejected for reasons given above.

These rejections of the Specification, and the claims, are respectfully traversed.

Method claims 1 to 3 have been amended to recite the use of at least 3 markers to diagnose CMT1A and HNPP. Product claim 4 recites a kit for diagnosing a CMT1A and HNPP using a mixture of the six primers. Product claim 5 recites a first kit of a mixture of three primers and a second kit of a mixture of a different three primers, and using these kits for diagnosing a CMT1A and HNPP.

Thus, all of the claims are now amended to comply with all of the formal requirements of the Patent Examiner.

Withdrawal of this ground of rejection of the Specification, and of the claims, under 35 U.S.C. 112, is respectfully requested.

A prompt notification of allowability is respectfully requested.

Respectfully submitted,
Byung Ok CHOI ET AL.

COLLARD & ROE, P.C.
1077 Northern Boulevard
Roslyn, New York 11576
(516) 365-9802

Frederick J. Dorchak, Reg.No. 29,298
Edward R. Freedman, Reg.No. 26,048
Attorneys for Applicant

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Enclosure: English translation of Korean Priority Document
Patent Application KR-10-2004-0052652

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on December 8, 2008.

Ingrid Mittendorf